

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,

No. 4:18-CV-00143

Plaintiff.

(Judge Brann)

v.

JEFFREY F. GRAHAM, and SUSAN
W. GRAHAM,

Defendants.

MEMORANDUM OPINION

APRIL 30, 2018

FINDINGS:

1. On January 19, 2018, Plaintiff, the United States of America, filed its Complaint in this action against the Defendants, Jeffrey F. Graham and Susan W. Graham. ECF No. 1;
2. Service of the operative Summons and Complaint was personally made upon the Defendants in accordance with Federal Rule of Civil Procedure 4(e). ECF No. 4;
3. The Defendants have failed to timely answer Plaintiff's Complaint;
4. On March 30, 2018, the Clerk of Court entered Default as to the Defendants. ECF No. 9;
5. On March 29, 2018, Plaintiff moved for entry of Default Judgment as to the claims advanced in its Complaint against the Defendants. ECF No. 6;

6. The Defendants have failed to make an appearance in this action;
7. Plaintiff's claim is for \$ 49,883.07 plus interest accruing upon the unpaid balance at a daily rate of \$ 6.89 due on a November 23, 1994 loan from the United States Department of Agriculture in the principal amount of \$48,780.00, ECF No. 1 at 1-3;
8. Accordingly, Plaintiff's claim "is for a sum certain or a sum that can be made certain by computation" as contemplated by Federal Rule of Civil Procedure 55(b)(1);
9. Counsel for Plaintiff swears that, upon reasonable investigation, the Defendants are not believed to be presently in the military service of the United States. ECF No. 8;
10. On April 3, 2018, this Court issued a Notice and Order to Show Cause, ECF No. 10, directing as follows:

IT IS HEREBY ORDERED that the Defendants, within twenty-one (21) days of this Notice and Order to Show Cause and no later than **April 24, 2018 at 5:00 p.m.**, shall **SHOW CAUSE** as to why this Court should not grant Plaintiff's Motion for Default Judgment. In the event that the Defendants fail to show cause, the Defendants are **NOTICED** that this Court will grant Plaintiff's Motion for Default Judgment in full and will immediately award Plaintiff the entirety of the relief it seeks.

11. In that same Order, the Court further directed the Clerk of Court to mail a copy of the same to the Defendants at the following address of record:

603 East Church Street
Lock Haven, PA 17745

12. The Clerk mailed a copy of the Notice and Order to Show Cause as directed. ECF No. 11;
13. As of today's date, no response has been received from Defendants.

CONCLUSION:

Plaintiff, the **UNITED STATES OF AMERICA**, is entitled to the entry of default judgment, as Defendants Jeffrey F. Graham and Susan W. Graham have failed to show cause and were previously noticed that this Court would grant Plaintiff's Motion for Default Judgment in full and immediately award Plaintiff the entirety of the relief it seeks in the event of such failure. Accordingly, Plaintiff's Motion for Default Judgment, ECF No. 6, is **GRANTED**. An appropriate Order shall issue.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge